

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-10451-RWZ  
CIVIL ACTION NO. 04-10717-RWZ

JOSEPH SCHMITT,  
Schmitt,  
v.  
JEFFREY SMITH, et al.,  
Defendants

&

JOSEPH SCHMITT,  
Schmitt,  
v.  
PATRICK MULVEY, et al.,  
Defendants.

**DEFENDANTS' OPPOSITION TO SCHMITT'S MOTION FOR COURT TO REVISIT  
PLAINTIFF'S MOTION FOR COURT ORDER AND RENEWED MOTION FOR  
SANCTIONS**

Defendants in the above-captioned matters hereby oppose plaintiff, Joseph Schmitt's ("Schmitt"), motion for the Court to revisit his motion for court order (04-10451 Doc. No. 93) and renews their motion for sanctions for the reasons set forth in defendants' original opposition to that motion (04-10451 Doc. No. 86). Defendants request that this Court, once and for all, put an end to Schmitt's incessant filing of duplicative and frivolous motions and sanction him in the amount of \$302.00, and that until such payment is made to this Court, that he be barred from filing any further motions or cases in the U.S. District Court, District of Massachusetts.

Respectfully submitted,

NANCY ANKERS WHITE  
Special Assistant Attorney General

DATED: October 16, 2006

C. Raye Poole

/s/ C. Raye Poole

B.B.O. # 632719  
Department of Correction  
Legal Division  
70 Franklin Street, Suite 600  
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Certificate of Service

I, C. Raye Poole, counsel for the defendants, hereby certify that on this 16<sup>th</sup> day of October 2006, I served a copy of the above motion by first class mail, postage prepaid, on Joseph Schmitt at his last known address, Massachusetts Treatment Center, 30 Administration Road, Bridgewater, Massachusetts 02324.

/s/ C. Raye Poole  
C. Raye Poole